Company and the Valley Dredging Company, a Texas corporation of which J. D. George is President, permission to sue the State.

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room, Austin, Texas, November 8, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 72, "An Act authorizing the commissioners court in certain counties to allow each county commissioner certain expenses for traveling in connection with official business; providing the funds; providing for filing of itemized accounts, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

ATCHISON, Chairman.

ELEVENTH DAY

(Monday, November 11, 1935)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Collins Mr. Speaker Adamson Colson Adkins Cowley Craddock Aikin Alexander Crossley Daniel Alsup Ash Davis Davison of Fisher Atchison Beck Davisson of Eastland Bergman Dickison Bourne Bradbury Dunagan Dunlap of Hays Bradford **Broyles** Dunlap of Kleberg Burton Duvall Butler of Brazos England Butler of Karnes Fain Cagle Farmer Caldwell Fisher Calvert Ford Canon Fox Celaya Frazer Clayton Fuchs

Gibson Moore Glass Morris Good Morrison Graves Morse Gray Newton Greathouse Olsen Hankamer **Padgett** Hanna Palmer Hardin Payne Harris of Archer Petsch Harris of Dallas Pope Hartzog Quinn Head Reader Herzik Reed of Bowie Hill Reed of Dallas Hodges Riddle Hofheinz Roach of Angelina Roach of Hunt Holland Hoskins Roane Howard Roark Huddleston Roberts Rogers Hunt Russell Hunter Rutta Jackson Scarborough James Jefferson Sessions Jones of Atascosa Shofner Jones of Falls Smith Jones of Shelby Spears Jones of Wise Stanfield Keefe Steward Stinson King Stovall Knetsch Tarwater Lanning Tennyson Latham Thornton Lemens Tillery Leonard Venable Lindsey Waggoner Lotief Walker Lucas Luker Wells Mauritz Westfall McCalla Wood of Harrison McConnell Wood of Montague McFarland Worley McKee Young McKinney Youngblood Moffett

Absent

Colquitt Leath

Absent—Excused

Cooper Lange
Dwyer Nicholson
Fitzwater Patterson
Hyder Settle

A quorum was announced present. Rev. George W. Coltrin, Chaplain, offered the following invocation:

"Our Heavenly Father, as we look unto Thee this morning we feel our

shortcomings and our inability fitly to the United States of America; authormeet our heavy responsibilities. Of izing the exercise of such power of Thine abundant grace enable us to complete our work with credit to ourselves and acceptably to Thee. Christ's name. Amen."

LEAVES OF ABSENCE GRANTED

following members were granted leaves of absence on account Affairs. of important business:

Mr. Cooper for today, on motion of Mr. Dunagan.

Mr. Settle for today, on motion of Mr. Davison of Fisher.

Mr. Lange for today, on motion of Mr. Walker.

Mr. Hyder for today, on motion of Mr. Newton.

Mr. Dwyer for today, on motion of Mr. Jones of Falls.

Mr. Patterson for this morning, on motion of Mr. Padgett.

of illness:

Mr. Fitzwater for today and the balance of the week, on motion of Mr. Stovall.

Mr. Nicholson for today and the balance of the week, on account of illness in his family, on motion of Mr. Tarwater.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Farmer:

H. B. No. 132, A bill to be entitled "An Act amending Article 15 of the Revised Civil Statutes of 1925, providing that no judge or justice of the peace shall sit in any case wherein he time. may be interested; defining 'interested' and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Spears:

H. B. No. 133, A bill to be entitled "An Act authorizing State public bodies, Federal agencies and authorized corporations (as herein defined) to acquire property by the exercise of the power of eminent domain for pub- posal of certain State property. lic works projects financed in whole or in part by such public bodies or by custody of the Texas Relief Commis-

eminent domain and the conveyance of property acquired thereby for the In purpose of aiding public works projects being undertaken by the United States of America; etc., and declaring an emergency."

Referred to the Committee on State

TO GRANT C.D. SCROGGIN ET AL. PERMISSION TO SUE THE STATE

Mr. Wood of Harrison offered the following resolution:

H. C. R. No. 21, To grant C. D. Scroggin et al, permission to sue the State.

Whereas, During the month of July of this year the employees of the Division Engineer's office of the State Highway Department located in Harmotion of Mr. Padgett.

The following members were granted leaves of absence on account the city of Marshall cut the fence between the pasture and field of C. D. Scroggin and L. S. Scroggin, thus allowing the stock to destroy the crops of the said parties; and

> Whereas, The damage incurred through the carelessness of the employees of the department amounts to around the sum of One Hundred (\$100.00) Dollars or more; now,

therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the said C. D. Scroggin and L. S. Scroggin be, and are hereby, granted permission to bring suit against the State Highway Department in a court of competent jurisdiction in Harrison County, Texas for damages done through the carelessness of the employees of the department.

The resolution was read second

On motion of Mr. Alsup, the resolution was referred to the Committee on State Affairs.

CONCERNING DISPOSAL OF CER-TAIN STATE PROPERTY

The Speaker laid before the House for consideration, at this time, the following resolution:

S. C. R. No. 14, Concerning dis-

Whereas, There are now in the

Control, in the various Relief Offices throughout the State of Texas, many surplus pieces of office furniture, fixtures, machines and other property records and files, provided the State which have been purchased out of State and Federal Funds and used building may be erected; and in connection with the administration of Federal and State Relief, and as files throughout the State of Texas relief will be discontinued, this equip-ment, furniture, machines and other served for the benefit of Texas, as property so being used will be on well as for the benefit of the Federal hand; and

Whereas, This property has had hard use and some of it is in such bad condition and some of it so bulky tives concurring, That the State that it would hardly be worth the Board of Control be, and it is hereby bad condition and some of it so bulky cost of crating and transporting it to Austin, and the sale thereof at its present location would prove an economic loss to the taxpayers in general when it could be transferred to various State and county government agencies which actually need it; now,

therefore, be it Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the State Board of Control be, and it is hereby, authorized to transfer or sell any of said office equipment, fixtures, machines and property for public use only to State or county government agencies which have need for such property, and take their receipts for same, and sell any other of said property to the best advantage or store same for future use, within the discreation of said Board.

The resolution was read second time, and was adopted.

AUTHORIZING THE STATE BOARD OF CONTROL TO DESIGNATE SITE FOR CERTAIN BUILDING

The Speaker laid before the House for consideration, at this time, the following resolution:

S. C. R. No. 15, Relative to the erection of State building to preserve old records.

Whereas, There have accrued voluminous files and records at Austin, Texas, and in every county in Texas, pertaining to Federal and State Administration of relief and all activities connected with relief during the last several years, and the State has no available space for storing these rec-

ords and files; and Whereas, It now seems probable that the Federal government out of

sion. Division of the State Board of Federal funds will erect, or make an allowance of money for the erection of a building in Texas for the storage and preservation of these important

Government; therefore, be it

Resolved by the Senate of the State of Texas, the House of Representaauthorized to designate some site on state-owned lands under its control and management in or near Austin, Texas, but not on the Capitol Grounds or on the block in front of the Governor's Mansion, for the purpose of accepting such building to house and preserve State and Federal Relief Administration records, reports and files; and that said Board of Control be and is hereby authorized to negotiate with and conclude all arrangements with the Federal government which may be necessary to secure said building.

The resolution was read second time, and was adopted.

EXTENDING PRIVILEGES OF THE FLOOR OF THE HOUSE

Mr. Morse offered the following resolution:

Whereas, The Representatives of the Texas Federated Women's Clubs have assembled in Austin today, for the purpose of commencing their Annual Convention; and

Whereas, Many of these ladies will be in the Capitol Building today; and

Whereas, It is befitting and right that they be extended the privileges of the floor of the House of Representa-

tives; now, therefore, be it
Resolved, That the Representatives of the Texas Federated Women's Clubs be extended the privilege of the floor of the House of Representatives for this, Armistice Day, and

Be It Further Resolved, That a copy of the resolution be sent to the president of said Texas Federated Women's Clubs.

> MORSE, CELAYA THORNTON.

Signed-Stevenson, Speaker; Adamson, Adkins, Aikin, Alexander, Alsup, Beck, Atchison, Ash, Bergman, Bourne, Bradbury, Bradford, Broyles, Burton, Butler of Brazos, Butler of Karnes, Cagle, Caldwell, Calvert, Canon, Clayton, Collins, Colquitt, Colson, Cooper, Cowley, Craddock, Crossley, Daniel, Davis, Davison of Fisher, Davisson of Eastland, Dickison, Dunagan, Dunlap of Kleberg, Dunlap of Hays, Duvall, Dwyer, England, Fain, Farmer, Fisher, Fitzwater, Ford, Fox, Frazer, Fuchs, Gibson, Glass, Good, Graves, Greathouse, Hanna, Harlis of Archer, Harris of Dallas, Harris of Archer, Harris of Dallas, Hartzog, Head, Herzik, Hill, Hodges, Hofheinz, Holland, Hoskins, Howard, Huddleston, Hunt, Hunter, Hyder, Jackson, Jefferson, Jones of Atascosa, Jones of Falls, Jones of Shelby, Jones of Wise, Keefe, King, Knetsch, Lange, Lanning, Latham, Leath, Lemens, Leonard. Lindsey. Lotief, Lucas. Luker, Mauritz, McCalla, McConnell, McFarland, McKee, McKinney, Moffett, Moore, Morris, Morrison, Newton, Nicholson, Olsen, Padgett, Palmer, Patterson, Payne, Petsch, Pope, Quinn, Reader, Reed of Bowie, Reed of Dallas. Riddle, Roach of Angelina, Roach of Hunt, Roane, Roark, Roberts, Rogers, Russell, Rutta, Scarborough, Sessions, Settle, Shofner, Smith, Spears, Stanfield, Steward, Stinson, Stovall, Tarwater, Tennyson, Tillery, Venable, Waggoner, Walker, Wells, Westfall, Wood of Harrison, Wood of Montague, Worley, Young, Youngblood.

The resolution was read second time. On motion of Mr. Davison of Fisher, the names of all the members of the House were added to the resolution, as signers thereof.

The resolution was adopted.

MESSAGE FROM THE SENATE

Austin, Texas, November 11, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a Conference Committee to adjust the differences between the two Houses on House Bill No. 77.

The following have been appointed no the part of the Senate:

Senators Small, Oneal, Pace, Moore, Shivers.

Adopted

S. C. R. No. 16, Relative to joint session for Armistice Day.

S. C. R. No. 17, Memoralizing Congress relative to reforestation program.

Respectfully,
BOB BARKER,
Secretary of the Senate.

TO PROVIDE FOR COMMITTEE TO INVESTIGATE CERTAIN WAGE SCALES

The Speaker laid before the House, for consideration, at this time, resolution by Mr. Youngblood, to investigate certain wage scales and alleged irregularities in awarding of contracts by the State Highway Department.

The resolution having heretofore been read second time and referred to the Committee on Labor.

The Committee on Labor having recommended the adoption of the resolution.

(Mr. Knetsch in the Chair.)

Mr. Wells moved to table the resolution.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas-55

Adkins Hunter Aikin Jones of Atascosa Alexander Jones of Shelby Alsup Jones of Wise Bergman King Bourne Lanning Burton Lindsey **Butler of Brazos** Luker Calvert Mauritz McFarland Canon Clayton McKinney Olsen Collins Crossley Palmer Petsch Daniel Davison of Fisher Reed of Bowie Roach of Angelina Ford Fox Roane Frazer Russell Rutta **Fuchs** Sessions Good Steward Graves Stinson Head Tennyson Herzik Tillery Hodges Walker Huddleston Wells Hunt

Worley Westfall Wood of Montague

Nays-60

Jefferson Adamson Jones of Falls Ash Keefe Atchison Latham Beck Lotief **Bradbury** Bradford Lucas Broyles McConnell Butler of Karnes McKee Cagle Morris Caldwell Morse Colson Newton Craddock Padgett Davis Payne Davisson Pope of Eastland Quinn Dickison Reader Reed of Dallas Dunlap of Havs Fain Riddle Roach of Hunt Farmer Fisher Roark Roberts Gibson Rogers Shofner Smith

Glass Greathouse Hanna Hardin Spears Harris of Dallas Thornton Hartzog Waggoner Wood of Harrison Hill

Hofheinz Young Holland Youngblood

Jackson

Present—Not Voting

Moffett

Absent

Celaya Knetsch Colquitt Leath Cowley Lemens Dunagan Leonard Dunlap of Kleberg McCalla Duvall Moore England Morrison Grav Scarborough Hankamer Stanfield Harris of Archer Stovall Hoskins Tarwater Howard Venable James

Absent—Excused

Cooper Lange Dwyer Nicholson Fitzwater Patterson Hyder Settle

Mr. Lanning offered the following amendment to the resolution:

Amend the resolution by striking Davison of Fisher out the last sentence of the resolution | Dunagan

and insert the following: "The total amount allowed for such investigation shall not exceed \$200 for all purposes."

Mr. Butler of Brazos moved the previous question on the pending amendment, amendments on the Speaker's desk, and the adoption of the resolution, and the main question was ordered.

Question recurring on the amendment by Mr. Lanning, it was adopted.

Mr. Daniel offered the following amendment to the resolution:

Amend the resolution by striking out paragraphs 4 and 6.

> DANIEL, JONES of Wise, ROARK, PETSCH CALVERT, DUVALL, WELLS, AIKIN, ALSUP

DAVISON of Fisher,

MAURITZ, BECK, WORLEY, FOX, LANNING, SESSIONS. KEEFE,

ROACH of Angelina.

Question recurring on the amendment by Mr. Daniel, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas-89

Adamson Dunlap of Hays Adkins Duvall Aikin England Alexander Fain Fisher Alsup Atchison Fox Beck **Fuchs** Bergman Gibson Bourne Glass Bradbury Graves Broyles Gray Harris of Archer Burton **Butler of Brazos** Head Caldwell Hodges Hofheinz Calvert Canon Holland Collins Hunt Crossley Hunter Daniel James

Davis

Jones of Atascosa Jones of Shelby Jones of Wise

Keefe King	Roach of Angelina Roane	The resolution v	was adopted by the
	Roark	Tollowing vote.	
Lanning Latham	Roberts	Yea	s65
Leonard	Russell		
Lindsey	Rutta	Adamson	Holland
Lotief	Sessions	Ash	Jefferson
	Smith	Atchison	Jones of Falls
Lucas		Bradbury	Keefe
Luker	Stanfield	Bradford	Latham
Mauritz	Steward	Broyles	Lotief
McCalla M-Final	Stinson	Butler of Karnes	Lucas
McFarland	Tarwater	Cagle	McConnell
McKinney	Tennyson	Caldwell	McKee
Moffett	Thornton	Clayton	Morris
Morris	Tillery	Collins	Morrison
Morrison	Waggoner	Colson	Morse
Morse	Walker	Craddock	Newton
Newton	Wells	Davis	Padgett
Palmer .	Westfall	Davisson	Payne
Payne	Wood of Harrison	of Eastland	Quinn
Petsch	Wood of Montague	Dickison	Reader
Quinn	Worley	Dunagan	Reed of Dallas
Reed of Bowie		Dunlap of Hays	Roach of Hunt
Nav	ys27	Dunlap of Kleberg	
		Fain	Roberts
Butler of Karnes	Jefferson	Farmer	Rogers
Cagle	Jones of Falls	Fisher	Rutta
Craddock	McConnell	Frazer	Shofner
Davisson	McKee	Gibson	Smith
of Eastland	Olsen	Glass	Spears
Dickison	Padgett	Greathouse	Stanfield
Farmer	Reader	Hankamer	Stovall
Frazer	Roach of Hunt	Hardin	Thornton
Greathouse	Rogers	Harris of Dallas	Waggoner
Hardin	Shofner	Hartzog	Wood of Harrison
Harris of Dallas	Spears	Hill	Young
Hartzog	Stovall	Hofheinz	Youngblood
Hill	Young	Horneinz	Toungblood
Huddleston	Youngblood	Nav	s57
• • • • • • • • • • • • • • • • • • • •	<u> </u>	1	
	-Not Voting .	Adkins	Hunt
Herzik		Aikin	Hunter
A)	bsent	Alexander	James
A all	Hoskins	Alsup	Jones of Atascosa
Ash		Bergman	Jones of Shelby
Bradford	Howard	Bourne	Jones of Wise
Celaya	Jackson	Burton	King
Clayton	Knetsch	Butler of Brazos	Lanning
Colquitt	Leath	Calvert	Lindsey
Colson	Lemens	Canon	Luker
Cowley	\mathbf{Moore}	Crossley	Mauritz
Dunlap of Kleberg	Роре	Daniel	McCalla
Ford	Reed of Dallas	Davison of Fisher	McFarland
Good	R'ddle	Duvall	McKinney
Hankamer	Scarborough	England	Moffett
Hanna	Venable	Ford	Olsen
4 .	17	Fox	Palmer
Absent	—Excused		Petsch
Cooper	Lange	Graves	Reed of Bowie
Dwyer	Nicholson	Harris of Archer	Roach of Angelina
Fitzwater	Patterson	Head	
Hyder	Settle	Herzik	Roane
-	_		Russell Sessions
		LIATTOWA	SACCIONC
Question then r	ecurring on the reso- nays were demanded.	Howard	Steward

Wells Stinson Westfall Tarwater Wood of Montague Tennyson Worley Tillery

Walker

Absent

Knetsch Beck Leath Celaya Colquitt Lemens Leonard Cowley Moore Fuchs Good Pope Gray Riddle Hanna Scarborough Venable Hoskins Jackson

Absent—Excused

Cooper Lange Dwyer Nicholson Fitzwater Patterson Hyder Settle

BILL AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bill and resolutions:

- H. B. No. 26, "An Act creating a System of Old Age Assistance in Texas; placing restrictions on the granting of such assistance; creating the Texas Old Age Assistance Commission, etc., and declaring an emer-
- S. C. R. No. 15, Relative to the erection of State building to preserve old records.
- S. C. R. No. 14, Granting State Board of Control permission to sell certain State property.

(Mr. Morse in the Chair.)

PROVIDING FOR JOINT SESSION OF THE HOUSE AND SENATE

The Chair laid before the House for consideration at this time, the following resolution:

S. C. R. No. 16, Providing for a joint session of the House and Senate.

Whereas, Seventeen (17) years ago, after four (4) years of stupendous and bloody spectacular struggle of the major nations of the world in an effort to stamp out militarism and the theory that "might makes right," the order was given at the eleventh hour of the eleventh day of the elev- ul called the Senate to order, and

enth month of the year to "cease firing"; and

Whereas, The people of the nations, so disillusioned by the madness and destruction of war, hailed with wild acclaim this hour which gave them respite, and have each succeeding year upon the anniversary of that day shown an increasing distaste for that method of settling difficulties, to the extent that this day finds our entire nation led by our illustrious President, in one solid phalanx demanding every precaution to prevent war; and

Whereas, We delight to renew our expression of gratitude to those who gave their lives and to those who in any way sacrificed their comfort and happiness that our ideal of freedom and democracy might remain intact; now, therefore, be it

Resolved, That the Senate and House of Representatives invite the senior member of the Senate, Honorable T. J. Holbrook, who is an orator capable of expressing our sentiments on this subject in a fitting manner, to address the Legislature of the State of Texas in joint session at eleven o'clock a. m., today.

The resolution was read second time, and was adopted.

BILL ORDERED NOT PRINTED

On motion of Mr. Spears, House Bill No. 133 was ordered not printed. (Speaker in the Chair.)

COMMEMORATING ARMISTICE DAY

(In Joint Session)

In accordance with the provisions of S. C. R. No. 16, Providing for a joint session of the House and Senate at 11:00 o'clock a. m., today, for the purpose of observing and commemorating Armistice Day, the Honorable Senators, escorted by Honorable Bob Barker, Secretary of the Senate, were announced at the bar of the House and being admitted were escorted to

Lieutenant Governor Woodul and Senator T. J. Holbrook were escorted to a seat on the Speaker's stand.

Speaker Stevenson called the House of Representatives to order and stated that the two Houses were in joint session for the purpose of commemorating Armistice Day.

Lieutenant Governor Walter Wood-

presented Senator T. J. Holbrook who addressed the joint session and the assemblage, as follows:

"Mr. President and Members of the Legislature:

"I esteem it a great honor to have been invited to make a few observations on this, the seventeenth anniversary Armistice of the World War, and to join with you in speaking the homage of our affections to the memory of those who fought and fell in the line of battle. It denotes a fine conception of the ideals conceived of the illustrious dead, that we draw apart on this anniversary and join our spirits with those of our soldiers who have crossed to life and light of the principle upon which the Reeternal.

"Memorial days proclaim the merits of the living, as well as the virtues of the dead. We would indeed prove ourselves unworthy to enjoy the blessings purchased by the labor of the dead, if we were indifferent to their sacrifices and to their achievements. We pause at this hour, in union with the people of this Nation in testimony of our grateful remembrance and real appreciation of the rare qualities of leadership which actuated the soldiers of this Republic who have fallen upon the field of battle.

"The fact that we do this, is evidence that the same spirit which animated them, awakens a like response in our breasts. We have not paused here to redress any wrongs, to discuss methods of trade, to discuss legislative problems, to promote commerce, to formulate constitutions, nor to indulge in recollections of our social or economic progress; but rather have we met in the confines of this chamber to commune again with those shadows of the past and take courage from the lessons we learn by reviewing their achievements.

"In an era of apparent tranquility, when the nation is at peace with the world, this Armistice Day marks the time when its citizens should assemble and pay the homage of love and respect to the memory of those who, besides enduring untold hardships, have made the supreme sacrifice; that know and love America that they 'Government of the people, by the were disclosing to the whole world a people, and for the people, shall not true spirit and devotion of their naperish from the earth.'

passed since one of our martyred and who will be forever grateful that Presidents stood upon the plains of she was so represented. And it is a great battlefield, and said 'Four-more delightful to entertain such

score and seven years ago our fathers brought forth upon this continent a new nation, conceived in liberty and dedicated to the proposition that all men are created equal. Now, we are engaged in a great civil war, testing whether that nation, or any nation so conceived and so dedicated can long endure.' He stated moreover, upon that occasion, that no act of that generation could hallow the ground upon which they stood, but that it should never be forgotten what our soldiers accomplished on that battlefield. These words have burned deeply into the hearts of the American people, because they furnish a true concept public was founded, and fully emblemize the spirit which gave it birth.

"I thank God that the government has endured, not only through that unfortunate war, but through a more recent one in which the foundation of civilization was at stake. The young men of this country who participated in that war, and who are sponsoring memorial services like this over the nation today, together with multiplied thousands of their comrades who will never answer another roll call, played a conspicuous part in that titanic struggle. We have set apart these moments here to join with those who helped them from behind the lines, in expressing our undying gratitude to the memory of their buddies who are now ensconced.

'On fame's eternal camping ground, Where their silent tents are spread, Where glory guards with solemn round, The bivouac of the dead.'

"In America the recollection of their glorious deeds will always be a treasured memory with those who knew and loved these men.

"It is delightful to learn from those who saw them fight and fall, in trenches on a foreign soil, that they had a touch of the high spirit, of religion; that they knew they were exhibiting a spiritual as well as a physical might, and those of us who tive land. It was America who went "Nearly seventy-five years have to battle in the person of these men,

thoughts because we know that these men, though buried in a foreign land, are not interred in an alien soil. They are home, sleeping with the souls of those who thought the same thoughts and entertained the same aspirations.

"Since our last great war ended, there has annually come to us on this recurring anniversary, messages of genuine comradeship and sympathy from those nations beyond the sea who were allied with us in a common cause.

"For this we are grateful, and join hopes with them on this Armistice Day that that war will prove to be in deed and in truth a war that ended wars, among the enlightened nations of the world.

"But it will be no profit to eulogize the spirit of our dead who fell on the fields of battle if we did not take to heart the lesson they taught. They are gone, never to be buffeted again by time or chance. They have done their part to show their devotion to a great country, and they left us to see to it that that country shall not be betrayed either in war or in peace. It is our privilege and duty to consecrate ourselves anew, on a day like this, to the objects for which they fought and died. These men did not travel across the seas merely to defeat an enemy with his associated powers in war, they went to defeat forever the things for which those powers stood, the sort of power they meant to assert in the world, the arrogant, selfish domination which they meant to establish, and they went moreover to see to it that there never should be a war like that again.

"It is for us, particularly those of us who claim to be civilized, to use our proper weapon of council and agreement to see to it that there never is such a war again. The nation that should now fling out of this common concord would betray the human race. In an address at Suresnes, near Paris, on May 30, 1919, the immortal Woodrow Wilson said, 'So it is our duty to take and maintain the safeguards which will insure the mothers of America and the mothers of France and England, Italy and Belgium, and all other suffering nations, against being called upon for this sacrifice again. This can be done. It must be done, and it will be done. The things that uniform except the uniform of a these men left us, though they did righteous heart; clothing themselves

the great instrument which we have just erected in the league of nations. The league of nations is the covenant of Governments that these men shall not have died in vain. I like to think that the dust of these sons of America, who were privileged to be buried in their mother country, will mingle with the dust of the men who fought for our Union, and that as those men gave their lives in order that America might be united, these men have given their lives in order that the World might be united.

"Those men gave their lives in order to secure the freedom of the nation. These men gave theirs in order to secure the freedom of mankind and I look forward to an age when it will be just as impossible to regret the results of their labor and sacrifice as it is now impossible to regret the result of the labor and sacrifice of those men who fought for the union of our States.'

"These words were prophetic, and whether or not the League of nations as conceived by Wilson, shall ever become a reality, there will, in my judgment, come a time when wars such as the last was, will become an impossibility through the instrumentality of a World Court, or some such agency, working for the betterment and ennoblement of mankind. It is true that no previous generation has given particular attention to this method of procedure, but due to the progress of science, in annihilating space and inventing destructive materials, I have faith enough in the race to believe that sane thinking will drive the peoples of the world to flee from total annihilation, by finding a way to escape the ravages of cruel and useless war.

"In the solution of this new problem, America, of course, in God's good time, will take a leading part. She was born to show mankind the way to liberty, and to make of it a common gift. This is amply proven in the fact that she has never engaged in a war of conquest. She was born to show men the way of experience by which they might realize this gift and maintain it; and I hail the American Legion in the name of all the traditions of our common country, to make themselves soldiers now and for all time in this cause where they will need no not in their counsels conceive it, is with the principles of right, and saying to men everywhere 'You are our brothers, and we invite you to a comradeship of liberty and of peace.' Let us not dismiss the thought of this hour without hearing these unspoken mandates of the Legion and their comrades.

"To our soldiers who are living and who fought our battles across the sea, we have welcomed them back with outstretched arms and open hearts to the land of their Fathers. Peaceful in your pursuits while furthering the welfare of our common country, we shall rejoice to find you always and everywhere in opposition to unwarranted oppression, and in defense of those benign prinicples which make for the perpetuity of a government whose basic ideals are founded upon a just conception of liberty regulated by law.

"To those immortal comrades who have fallen asleep in the democracy of death, we pledge anew our grateful remembrance. We are not unmindful of the fact that 1656 of our American boys rest in graves across the sea, which are marked at the head on the tiny crosses that rise above them the simple but expressive inscription, 'Unknown.'

"It was my privilege a little while ago to stand in the cemetery at Arlington, by the side of the sarcophagus in which rests the remains of the 'Unknown Soldier.' There in transcendent glory, he awaits the resurrection in company with the Nation's great im-With uncovered head and mortals. subdued feelings, I saw uncounted thousands pass by and lay their flowers of affection upon the marble slab that stood above his dreamless dust. It was a scene never to be forgotten; and one which no true patriot could view without a renewed gratitude toward the memory of those 'Whom we have long loved but lost awhile."

"At Chalons-Sur-Marne, his body was selected from that of four unknown American boys, brought there in sealed caskets from different fields, to be re-interred at the Nation's Capital; so that there might be made for all time a permanent shrine at which the President and our Representatives might gather on this Armistice Day and pay fitting tribute to those gallant defenders of our common faith.

"Every American mother who mourns a son in a grave marked 'Un-known' can through the knowledge of

this gracious act, feel an intimate thrill of pride in such service; for it is in spirit, and may have been in fact, her own son who has been so signally honored—her own son who is buried there. She can also feel and know that the people of America will never agree in truth, that such a son is 'unknown'; for they will remember him—

"'The unknown dead? Not so; we knew him well

Who died for us on that red soil of France,

Who faced the fearful shock of shot and shell,

And laughed at death in some bloodstrewn advance.

Nameless in truth, but crowned with

such a name
As glory gives to those who greatly

Who marched a simple soldier, with the flame

Of duty bidding him to Calvary.

He is all brothers dead, all lovers lost,

All sons and comrades resting over there;

The symbol of the Knightly, fallen host.

The sacred pledge of burdens yet to bear.

Mangled and torn, for whom we pray today,

Whose soul rose grandly to God's peaceful throne,

Leaving us this quiet, shattered clay, Silent and still—unnamed—but not unknown.

He sleeps beneath no immortal yews; His resting place no temple arches hem;

No blazoned shaft or graven tablet wooes

Men's praises—and yet, we shall remember him.

The unforgetting clouds shall drop their tears;

The winds in ceaseless lamentations, wail,

For God's White Knights are lying on their biers,

Who vowed their service to restore the Grail.

He gave his life to make the whole world free;

He recked not, to what flag he was assigned,

The Starry Banner, Cross, or Fleurde-Lis

His sacrifice was made for all mankind.

For him the task is done, the strife is stilled;

No more shall care disturb, nor zeal condemn;

And when the larger good has been fulfilled.

In coming years, we shall remember

How can the world his deeds forget?
In France

White crosses everywhere lift pallid hands.

Like silent sentinel with sword and lance,

To keep his memory safe for other lands.

What need has he for holy sepulcher? Within the heart of men are hallowed ground—

A sanctuary where they rest secure, And with love's immortality are crowned.

And far off voices of the future sing, 'They shall remain in memory's diadem':

diadem';
And winds of promise still are whispering

Through storied years, 'We shall remember him.'"

(On motion of Mr. Spears, the above address was ordered printed in the Journal.)

SENATE RETIRES

At the conclusion of the address the Senate retired to its chamber.

(Mr. Morse in the Chair.)

SENATE BILL NO. 15 ON PAS-SAGE TO THIRD READING

The Chair laid before the House, as unfinished business, on its passage to third reading,

S. B. No. 15, A bill to be entitled "An Act defining certain terms; providing for licensing of operators and chauffeurs; providing for certain exemptions; prohibiting issuance of licenses to certain persons; providing for instruction permits; making provision for non-resident drivers; providing what persons shall be licensed; Hodges Hofheir

providing for application for operator's and chauffer's license; providing for signing of application of minors; providing for examination of applicants; and declaring an emergency."

The bill having heretofore been read second time, with amendment by Mr.

Pope, pending.

Mr. Dunagan moved to table the amendment by Mr. Pope.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called and the vote announced as follows:

Yeas 61, nays 64.

Mr. Harris of Dallas called for a verification of the vote.

The roll of the "yeas and "nays" was again called, and the verified vote resulted as follows:

Yeas-62

Holland Ash Atchison Hoskins Bergman Hunter Burton Jackson Butler of Brazos Jefferson Cagle Jones of Falls Latham Calvert Lemens Canon Lotief Celava McCalla Clayton McFarland Collins Moore Colson Davisson Morris of Eastland Morse Newton Dickison Padgett Dunagan Dunlap of Hays Quinn Reader Duvall Reed of Dallas England Fisher Riddle Roach of Hunt Fox **Fuchs** Shofner Smith Gibson Graves Steward Hankamer Stinson Hanna Tennyson Harris of Archer Thornton Harris of Dallas Tillery Waggoner Hartzog Wells Hill Youngblood Hodges Hofheinz

Nays-64

Mr. Speaker Beck Adamson Bourne Adkins Bradbury Aikin Bradford Broyles

Butler of Karnes Mauritz Caldwell McConnell Craddock McKee Crossley Olsen Daniel Palmer Davison of Fisher Payne Fain Petsch Farmer Pope Glass Reed of Bowie Good Roach of Angelina Gray Roane Hardin Roark Head Roberts Herzik Rogers Russell Huddleston Hunt Rutta James Sessions Jones of Atascosa Spears Jones of Shelby Stovall Jones of Wise Tarwater Keefe Venable

Lanning Lindsey Lucas Luker

King

Knetsch

Worley Young

Walker

Westfall

Wood of Harrison

Wood of Montague

Absent

Alexander Howard Colquitt . Leath Cowley Leonard McKinney Davis Dunlap of Kleberg Moffett Ford Morrison Frazer Scarborough Greathouse Stanfield

Absent-Excused

Cooper Lange
Dwyer Nicholson
Fitzwater Patterson
Hyder Settle

PAIRED

Mr. McKinney (present), who would vote "yea," with Mr. Cooper (absent), who would vote "nay."

The Chair announced that the motion to table was lost.

Question—Shall the amendment by Mr. Pope, be adopted?

RECESS

On motion of Mr. Reed of Dallas, the House at 12:15 o'clock p. m., took recess to 2:00 o'clock p. m., today

AFTERNOON SESSION

The House met at 2:00 o'clock p. m., and was called to order by Mr. Morse.

LEAVE OF ABSENCE GRANTED

(By unanimous consent)

Mr. Russell was granted leave of absence for this afternoon, on account of illness, on motion of Mr. Westfall.

BILL ORDERED NOT PRINTED

On motion of Mr. Butler of Brazos, Senate Bill No. 27 was ordered not printed.

MESSAGE FROM THE SENATE

Austin, Texas, November 11, 1935. Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 112, A bill to be entitled "An Act providing that wherever a person has died or may die, testate, owning property in Texas, and such person's will has been or may be admitted to probate by the county court, and such probated will names an independent executor, or executors, and/or trustees to execute the terms and provisions of the will, or provides that no other action shall be had in the courts of Texas in reference to the settlement of the estate than the probating and recording of the will and the return of an inventory, appraisement and list of claims of the estate dealt with in the will, or contains language of similar import, and such independent executor, or executors, and/or trustees have died or shall die leaving unexecuted parts or portions of the will of the testator, and an administrator de bonis non, with the will annexed, etc., and declaring an emergency."

Adopted

- H. C. R. No. 20, Relative to the appropriation and allotment of bonds for the completion of the Army Construction Program in the State of Texas.
- S. C. R. No. 18, Relative to a historical display to be held at the Centennial Exposition at Dallas.
- S. C. R. No. 19, Relative to the loaning of painting of President Polk to the Centennial Commission by Col. William S. Pickett of San Angelo, Texas.

Respectfully,
BOB BARKER,
Secretary of the Senate.

SENATE BILL NO. 15 ON PASSAGE TO THIRD READING

The House resumed consideration of pending business, same being Senate Bill No. 15, relative to the licensing of operators of motor vehicles, on its passage to third reading.

The bill having heretofore been read second time, with amendment by Mr. Pope, pending.

Mr. Quinn offered the following amendment to the amendment by Mr. Pope:

Amend amendment to Senate Bill No. 15, Section 1 of said Substitute, by striking out the following:

- "(1) Who is totally blind;
- (2) Who is "color blind";
- (3) Who has lost the use of both arms;
- (4) Who has lost the use of both legs;
- (5) While in a state of intoxication;" and insert in lieu thereof the following:
- "(1) Who cannot see an object the size of a child a distance of three hundred (300) feet;
 - (2) Who is "color blind";
- (3) Who has lost the use of both arms or one arm and one leg;
- (4) Who has lost the use of both legs or one leg and one arm;
- (5) While in a state of intoxication or who has a case pending for drunken driving in any court within the State."

Mr. Alsup moved to table the amendment by Mr. Quinn.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas-107

Adamson	Cagle
Adkins	Calvert
Aikin	Canon
Alexander	Celaya
Alsup	Clayton
Ash	Collins
Beck	Cowley
Bergman	Craddock
Bourne	Davison of Fisher
Bradbury	Davisson
Bradford	of Eastland
Broyles	Dickison
Burton	Dunagan
Butler of Brazos	Dunlap of Hays
Butler of Karnes	Dunlap of Kleberg
	*

Duvall McKinney England Moffett Morrison Fain Farmer Morse Fisher Newton Fox Olsen F'razer Palmer Fuchs Payne Gibson Pope Glass Reader Reed of Bowie Good Graves Reed of Dallas Gray Riddle Hankamer Roach of Angelina Hanna Roach of Hunt Hardin Roark Harris of Dallas Rogers Head Rutta Herzik Scarborough Hodges Sessions Hunt Shofner Hunter Smith Jackson Steward James Stinson Jones of Atascosa Stovall Jones of Falls Tarwater Jones of Shelby Tennyson Jones of Wise Thornton Keefe Tillery Venable King Waggoner Knetsch Lanning Walker Wells Latham Westfall Lemens Wood of Harrison Lindsey Wood of Montague Lucas Worley Luker Mauritz Young Youngblood McConnell

Nays-12

Atchison McFarland
Crossley Moore
Harris of Archer
Holland Padgett
Howard Patterson
Huddleston Quinn

Present-Not Voting

Mr. Speaker Roane				
Absent				
Caldwell Jefferson Colquitt Leath Colson Leonard Daniel Lotief Davis McCalla Ford McKee Greathouse Petsch Hartzog Roberts Hill Spears Hofheinz Stanfield Hoskins				

Absent-Excused

Cooper Dwyer Fitzwater Hyder Lange Nicholson Russell Settle

PAIRED

Mr. Roane (present), who would vote "yea," with Mr. Ford (absent), who would vote "nav."

Mr. Reader moved the previous question on the pending amendment, amendments on the Chair's desk, and the passage of Senate Bill No. 15 to third reading, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas-71

Jones of Falls AshJones of Shelby Beck Jones of Wise Bergman Lemens Burton Lindsev Butler of Brazos Lucas Cagle Luker Calvert Celaya Mauritz McCalla Clayton McConnell Collins McFarland Colquitt Moffett Davisson Moore of Eastland Morris Dunagan Dunlap of Kleberg Morse Patterson Duvall Pavne England Quinn Farmer Reader Fisher Reed of Dallas Fox Roach of Hunt Frazer Sessions Glass Shofner Grav Smith Hanna Harris of Dallas Spears Steward Hill Stinson Hodges Hofheinz Tennyson Thornton Holland Tillery Hoskins Waggoner Huddleston Hunt Walker Wells Hunter Worley Jackson Young James Youngblood Jefferson

Nays-54

Adamson Adkins Aikin Alexander Alsup King Atchison Knetsch Bourne Lanning Bradbury Latham Bradford McKinney Broyles Morrison Butler of Karnes Newton Caldwell Olsen Canon Padgett Colson Palmer Cowley Pope Reed of Bowie Craddock Crossley Riddle Davison of Fisher Roach of Angelina Dickison Roark Dunlap of Hays Roberts Fain Rogers Rutta Gibson Good Scarborough Graves Stovall Harris of Archer Tarwater Venable Head Westfall Herzik

Keefe Wood of Montague

Present—Not Voting

Mr. Speaker

Jones of Atascosa

Roane

Wood of Harrison

Absent

Daniel Howard
Davis Leath
Ford Leonard
Fuchs Lotief
Greathouse McKee
Hankamer Petsch
Hardin Stanfield
Hartzog

A 1- ----

Absent-Excused

Cooper Dwyer Fitzwater Hyder Lange Nicholson Russell Settle

PAIRED

Mr. Roane (present), who would vote "nay", with Mr. Ford (absent), who would vote "yea."

Question recurring on the amendment by Mr. Pope, yeas and nays were demanded.

The roll of the House was called and the vote announced as follows:

Yeas 64, nays 58.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was then called, and the verified vote resulted as follows:

Hardin

Herzik

Huddleston

Head

Hunt

James

Yeas-66

Jones of Wise Mr. Speaker Keefe Adamson King Adkins Knetsch Aikin Lanning Aisup Beck Lindsev Bergman Lucas Bourne Luker Bradbury * Mauritz McConnell Bradford Morrison Brovles Butler of Karnes Olsen Falmer Caldwell Celaya Payne Craddock Petsch Crossley Pope Daniel Reed of Bowie Riddle Davis Davison of Fisher Roach of Angelina Dunlap of Kleberg Roark Roberts Fain Fuchs Rogers Glass Rutta Good Scarborough Gray Sessions

Jones of Atascosa Wood of Harrison Wood of Montague

Spears

Stovall

Farwater

Venable

Westfall

Walker

Nays—62

Ash Harris of Archer Harris of Dallas Atchison Burton Hartzog **Butler of Brazos** Hill Cagle Hodges Calvert Hofheinz Canon Holland Clayton Hoskins Collins Hunter Colquitt Jackson Jefferson Colson Jones of Falls Cowley Davissor. Latham of Eastland Lemens Dickison Lotief Dunagan McCalla Dunlap of Hays McFarland Duvall Moore England Morris Morse Farmer Fisher Newton Fox Padgett Gibson Patterson Quinn Graves Hankamer Reader Reed of Dallas Hanna

Roach of Hunt
Shofner
Smith
Steward
Stinson
Tennyson
Thornton
Tillery
Waggoner
Wells
Youngblood

Present—Not Voting

Alexander Roane Frazer Worley McKinney

Absent

Ford McKee
Greathouse Moffett
Howard Stanfield
Leath Young
Leonard

Absent—Excused

Cooper Lange
Dwyer Nicholson
Fitzwater Russell
Hyder Settle

PAIRED

Mr. Roane (present), who would vote "yea," with Mr. Ford (absent), who would vote "nay."

Mr. Frazer (present), who would vote "yea," with Mr. Hyder (absent), who would vote "nay."

Mr. McKinney (present), who would vote "yea," with Mr. Cooper (absent), who would vote "nay."

Mr. Alexander (present), who would vote "yea," with Mr. Settle (absent), who would vote "nay."

Mr. Worley (present), who would vote "yea," with Mr. Howard (absent), who would vote "nay."

The Chair announced that the amendment was adopted.

Mr. Harris of Dallas offered the following amendments to the amendment by Mr. Pope:

Amend amendment by Pope to Senate Bill No. 15, by striking out the words "shall have the right and power to" in lines 4 and 5 in Section 2, and insert in lieu thereof the word "must."

Amend amendment by Pope to Senate Bill No. 15 by striking out the words "have the right and power to" in lines 5 and 6 in Section 3, and insert in lieu thereof the word "must."

Amend amendment by Pope to Senate Bill No. 15 by striking out the word "may" in line 8, Section 3 and inserting in lieu thereof the word "must."

Amend amendment by Pope to Senate Bill No. 15, by striking out in ordered shall upon such conviction, line 24, Section 5, the word "right," suspension and/or revocation cause to and inserting in lieu thereof the word be placed on the left wrist of such "privilege."

Amend amendment by Pope to Senate Bill No. 15, by striking out the by the sheriff of the county where words "his right" wherever the same such conviction, revocation or sus-

The amendments were severally

Mr. Palmer offered the following amendment to the amendment by Mr. Pope:

Amend amendment to Senate Bill No. 15, by adding a new section to be known as Section 2aa:

"Any person operating a motor vehicle shall have placed on his or her car a governor sufficient to control the speed limit not to exceed fifty miles per hour, for motor buses and passenger cars; for trucks and any car with trailer attached, thirty-five miles per hour, and any person or persons violating the provisions of this Act shall be fined in any sum not less than \$10.00 nor more than \$50.00 and each day will constitute a separate offense; provided, however, the provisions of this section shall not apply to any motor vehicles operated by physicians, hospitals, city, county and/or State police or law enforcement officers."

PALMER, ASH. ADKINS TILLERY TARWATER, CAGLE.

The amendment was lost.

Mr. Farmer offered the following amendment to the amendment by Mr. Pope:

Amend amendment to Senate Bill No. 15, by adding after the words "Article 801," on page 2, line 19, the words "and Article 799."

The amendment was adopted.

Mr. Rogers offered the following amendment to the amendment by Mr. Pope:

Amend amendment to Senate Bill No. 15, by adding a new subsection to read as follows:

"(d) Upon the revocation or suspension of the right of any person to operate a motor vehicle as provided herein, the judge of any court in Collins

which revocation or suspension is person a steel band with a suitable lock thereon, the key to be retained appear in Section 5 and inserting in pension occurs, and the person who lieu thereof the words "his privilege." has thus been deprived of the privilege. ilege of driving a car, shall wear such band until the full term of his suspension or revocation has expired. Upon the termination of such term the sheriff shall unlock such band."

> Mr. McCalla raised a point of order on further consideration of the amendment by Mr. Rogers, on the ground that the amendment violates certain constitutional provisions.

> The Chair sustained the point of order.

> By unanimous consent of the House the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

> Senate Bill No. 15 was then passed to third reading.

SENATE BILL NO. 15 ON THIRD READING

Mr. Harris of Dallas moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 15 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas--122

Colquitt Mr. Speaker Adamson Cowley Craddock Aikin Alexander Crossley Daniel Alsup Davis Atchison Davison of Fisher Beck Dickison Bergman Dunagan Bourne Dunlap of Hays Bradbury Duvall Bradford England Broyles Fain Burton Butler of Brazos Farmer **Butler of Karnes** Fisher Fox Cagle Fuchs Caldwell Gibson Calvert Glass Canon Good Clayton Graves

Grav Morse Newton Hankamer Hanna Padgeti Hardin Patterson Harris of Archer Payne Harris of Dallas Petsch Hartzog Pope Quinn Head Herzik Reader Reed of Bowie Hill Reed of Dallas Hodges Hofheinz Riddle Roach of Angelina Holland Howard Roach of Hunt Huddleston Roane Hunter Roark Jackson Rogers James Rutta Scarborough Sessions Shofner

Jefferson Jones of Falls Jones of Wise Keefe King Knetsch Lanning Latham Lemens Leonard Lindsey Lotief Lucas Luker Mauritz McCalla McConnell

McKinney Moffett Moore Morris Morrison

Nays-4

Adkins Frazer Hunt McFarland

Youngblood

Smith

Spears

Steward

Stinson

Stovall

Tarwater

Tennyson

Thornton

Tillery

Venable

Walker

Westfall

Worley

Young

Wood of Harrison

Wood of Montague

Wells

Waggoner

Absent

Ash Celaya Colson Davisson of Eastland Dunlap of Kleberg Palmer Ford Greathouse

Jones of Atascosa Jones of Shelby Leath McKee Olsen Roberts Stanfield

Absent-Excused

Cooper Dwyer Fitzwater Hyder

Hoskins

Lange Nicholson Russell Settle

The Chair then laid Senate Bill No. 15 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas-133

Mr. Speaker Head Adamson Herzik Aikin Hill Alexander Hodges Alsup Hofheinz Holland Ash Atchison Hoskins Howard Beck Huddleston Bergman Bourne Hunter Bradbury Jackson Bradford James **Broyles** Jefferson Burton Jones of Atascosa

Butler of Brazos Jones of Falls Jones of Wise Butler of Karnes Cagle Keefe Caldwell King

Canon Celaya Clayton Collins Colquitt Colson Cowley Craddock Crossley Daniel Davis

Calvert

Davison of Fisher Davisson of Eastland Dickison Dunagan Dunlap of Hays Dunlap of Kleberg

Duvall England Fain Farmer Fisher Fox Fuchs Gibson Glass Good Graves Gray Greathouse Hankamer

Knetsch Lanning Latham Lemens Leonard Lindsev Lotief Lucas Luker Mauritz McCalla McConnell McFarland McKinney Moffett Moore Morris Morrison Morse Newton **Padgett** Palmer Patterson Pavne Petsch Fope Quinn

Reader Reed of Bowie Reed of Dallas Riddle Roach of Angelina

Roberts

Rogers

Rutta

Roach of Hunt Roane Roark

Hanna Hardin Harris of Archer Harris of Dallas Hartzog

Scarborough Tillerv Sessions Venable Shofner Waggoner Smith Walker Spears Wells Steward Westfall Stinson Wood of Harrison Stovall Wood of Montague Tarwater Worley Tennyson Young Youngblood Thornton

Nays-3

Adkins

Hunt

Frazer

Absent

Ford Jones of Shelby Leath

McKee Olsen Stanfield

Absent-Excused

Cooper Dwyer Fitzwater Hyder

Lange Nicholson Russell Settle

(Speaker in the Chair.)

RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled resolution:

S. C. R. No. 16, Providing for a joint session of the House and Senate to commemorate Armistice Day.

Mr. Alsup moved that the House adjourn until 10:00 o'clock a. m., to-morrow.

The motion was lost.

HOUSE BILL NO. 92 ON SECOND READING

The Speaker laid before the House, (as a special order at this time), on its second reading and passage to engrossment,

H. B. No. 92, A bill to be entitled "An Act levying a registration fee on secured debts; defining secured debts; providing a registration fee of thirty (30c) cents for each One Hundred (\$100.00) dollars or major fraction thereof on debts secured by real estate or by real estate and personal property maturing more than one year and not more than three (3) years from date; providing a registration fee on debts secured by personal property; etc., and declaring an emergency."

The bill was read second time.

Mr. Wells moved that House Bill
No. 92 be tabled.

The motion to table was lost. Question—Shall House Bill No. 92 pass to engrossment?

ADJOURNMENT

Mr. Caldwell moved that when the House adjourns today, that it do so out of respect to the memory of those killed in the World War.

The motion prevailed.

Mr. Harris of Dallas moved that the House recess to 9:30 o'clock a. m., tomorrow.

Mr. Collins moved that the House adjourn until 9:30 o'clock a. m., to-morrow.

Mr. Dunlap of Hays moved that the House recess to 8:00 o'clock p. m., today.

Question first recurring on the motion by Mr. Collins, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—72

Adamson Hofheinz Alsup Holland Hoskins Ash Beck Howard Huddleston Bergman Hunt Bourne Hunter Bradbury Jackson Broyles Butler of Karnes James Jones of Atascosa Cagle Calvert Jones of Wise Canon King

Leonard Celaya McCalla Clayton McFarland Collins McKinney Craddock Moore Crosslev Morris Daniel Morrison Davisson Morse of Eastland

of Eastland Morse
Dunlap of Kleberg
Duvall Padge
Farmer Palme
Fox Payne
Good Petsch
Graves Reade
Gray Reed of
Hankamer Riddle

Hanna Harris of Archer

Harris of Dallas Hartzog Padgett
Palmer
Payne
Petsch
Reader
Reed of Dallas
Riddle
Roach of Angelina

Roach of Hunt

Roane Roark Rutta Walker
Spears Wells
Thornton Young
Tillery Youngblood
Waggoner

Nays—43

Adkins Lucas Aikin Luker Bradford Mauritz McConnell Burton **Butler of Brazos** Moffett Davison of Fisher Patterson Dunlap of Hays Pope England Quinn

Fain Reed of Bowie Fisher Rogers Fuchs Sessions Shofner Gipson Glass Stinson Stovall Hardin Tarwater Head Tennyson Hodges Jones of Shelby Venable Westfall Lanning

Latham Wood of Harrison
Lemens Wood of Montague
Lindsey Worley

Lotief

Absent

Alexander Hill Atchison Jefferson Caldwell Jones of Falls Colquitt Keefe Colson Knetsch Cowley Leath Davis McKee Dickison Newton Roberts Dunagan Ford Scarborough Frazer Smith Greathouse Stanfield Herzik Steward

Absent-Excused

Cooper Lange
Dwyer Nicholson
Fitzwater Russell
Hyder Settle

The House, accordingly, at 4:30 o'clock p. m., adjourned, out of respect to the memory of those killed in the World War, to 9:30 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills as follows:

Conservation and Reclamation:
Senate Bill No. 27.

Judiciary: House Bill No. 132. State Affairs: House Bill. No. 133.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room, Austin, Texas, November 9, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 126, A bill to be entitled "An Act to prohibit the trapping or hunting with guns of wild foxes, or having in possession the pelts thereof in Camp County; providing a penalty; providing that farmers or poultry raisers may kill such foxes while in the act of actually destroying chickens or other poultry or farm animals; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

Committee Room, Austin, Texas, November 9, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 128, A bill to be entitled "An Act to amend Section 1, Chapter 88, page 172, Acts Second Called Session, Forty-first Legislature, 1929, as amended by Section 1, Chapter 23, page 151, Fifth Called Session, Acts Forty-first Legislature, 1930, by adding subsection (r), defining 'Implements of Husbandry' as used in said Act; providing that the provisions of this Act shall be cumulative of other laws applicable to the registration of motor vehicles, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

Committee Room, Austin, Texas, November 8, 1935. Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 124, A bill to be entitled "An Act to prohibit the selling, taking or possession for barter or sale of

wild fox, or the pelt thereof in Newton and Jasper Counties; to prohibit the killing of wild fox in said counties; providing penalties, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HODGES. Chairman.

Committee Room, Austin, Texas, November 8, 1935. Hon. Coke Stevenson, Speaker of the

House of Representatives.

Sir: Your Committee on Engrossed
Bills to whom was referred

H. B. No. 118, A bill to be entitled "An Act reappropriating an appropriation of Seventy-five Thousand (\$75,000.00) Dollars made by Acts of the Regular Session, Forty-fourth Legislature, Chapter 352, page 868, for the purpose of remodeling and reequipping hospital building at the State Hospital for Crippled and Deformed Children at Galveston, Texas; providing that said appropriation shall be used for the purpose of erecting a new hospital building; appropriating an additional Thirty-five Thousand (\$35,000.00) Dollars for such purpose; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

Committee Room, Austin, Texas, November 8, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 130, A bill to be entitled "An Act providing a method for the exclusion of lands from fresh water supply districts in counties having a population of not more than twenty thousand (20,000) or not less than three thousand (3,000) according to the last preceding Federal Census and embracing not less than one hundred thousand (100,000) acres, which districts have no outstanding bonded indebtedness; providing for the alteration of the boundaries of such districts so as to exclude the lands, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

Committee Room, Austin, Texas, November 8, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 116, A bill to be entitled "An Act making certain emergency and supplemental appropriations out of the General Fund of the State of Texas for the Texas Prison System for the fiscal years ending August 31, 1936, and August 31, 1937, respectively, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

Committee Room, Austin, Texas, November 8, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 115, A bill to be entitled "An Act to validate the bonds of water improvement districts and of water control and improvement districts where such bonds have been issued by the district and approved by the Atorney General of the State of Texas, notwithstanding the fact that such bonds were not validated by a suit in the district court as required by law; etc., and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

Committee Room, Austin, Texas, November 8, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 112, A bill to be entitled "An Act providing that wherever a person has died or may die, testate, owning property in Texas, and such person's will has been or may be admitted to probate by the county court, and such probated will names an independent executor, or executors, and/or trustees to execute the terms and provisions of the will, or provides that no other action shall be had in the courts of Texas in reference to the settlement of the estate than the probating and recording of the will

and the return of an inventory, appraisement and list of claims of the the obligations therefor by bonds, estate dealt with in the will, or contains language of similar import, and such independent executor, or executors, and/or trustees have died or shall die leaving unexecuted parts or portions of the will of the testator, and an administrator de bonis non, with the will annexed, etc., and de-|finds it correctly engrossed. claring an emergency.

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

Committee Room. Austin, Texas, November 8, 1935.

Hon, Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 111, A bill to be entitled "An Act authorizing the selection and the summoning of a general jury panel for jury service in the district and county courts in counties of Texas wherein two (2) or more district courts are situated and maintained; defining district courts within the meaning of the Act; authorizing the judges of the district and county courts in any such county to meet together at stated intervals and determine the number of jurors necessary for jury service for all district and county courts during a period of two (2) months or as many weeks in advance as they decide upon; etc., and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

Committee Room. Austin, Texas, November 8, 1935.

House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 109, A bill to be entitled "An Act empowering cities of two hundred thirty thousand (230,000) or more inhabitants to purchase and Article 52, Section 161 of the Code own, build, maintain, operate, mortgage and encumber health and recreational establishments, parks, playgrounds, hotels, bathhouses, bathing pools or facilities, and any and all other installations or establishments necessary or desirable as a part of health and recreational resorts, parks finds it correctly engrossed. or playgrounds, or any of them, and

the income therefrom, and to evidence notes or warrants and to secure the payment of funds to purchase or build same or to remodel, renovate, maintain or repair same; etc., and declaring an emergency."

Has carefully compared same and

HODGES, Chairman.

Committee Room. Austin, Texas, November 8, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 110, A bill to be entitled "An Act authorizing and empowering all cities and towns, including home rule cities, to build and purchase, to mortgage and encumber certain projects to-wit: parks and/or swimming pools, golf courses, golf course clubhouses, ball parks, fair grounds, exposition buildings, airports, and the land upon which the same are situated, and to evidence the obligation therefor by the issuance of bonds, notes or warrants, etc., and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

Committee Room, Austin, Texas, November 8, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Hon. Coke Stevenson, Speaker of the Bills to whom was referred

H. B. No. 107, A bill to be entitled "An Act to amend Section 7 of House Bill No. 131, Chapter 247, enacted by the Forty-third Legislature at the Regular Session, page 867 of the Session Acts of said term which is also of Criminal Procedure 1935, Supplement to Vernon's Revised Statutes, changing the terms of court of the Criminal District Court of Bexar County, Texas."

Has carefully compared same and

HODGES, Chairman.

Committee Room. Austin, Texas, November 8, 1935. Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 106, A bill to be entitled "An Act to amend the law controlling fresh water supply districts as embraced in Chapter 4, Title 128 of the Revised Civil Statutes of Texas, 1925, and contained in Chapter 48, page 107 of the General Laws of Texas, enacted by the Thirty-sixth Legislature at its Second Called Session, as amended, so as to provide for a new Article to said Chapter 4, of said Title 128, to be known as 'Article 7959-a' and providing that where any such fresh water supply districts shall have issued bonds and where Hon. Coke Stevenson, Speaker of the there shall not be a sufficient number of qualified voters and resident property owners in said district to constitute its governing body, etc., and declaring an emergency.'

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

Committee Room, Austin, Texas, November 8, 1935. Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 105, A bill to be entitled "An Act validating all elections, election orders, election proceedings, affidavits and city ordinances annexing adjacent territory or extending and prescribing the corporate limits of any incorporated city incorporated and functioning under the General Laws of Texas under Commission Form of Government, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

Committee Room, Austin, Texas, November 8, 1935. Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 104, A bill to be entitled "An Act to create the Sulphur River Conservation and Reclamation Dis- Federal Census; repealing all laws or trict under the authority of Section parts of laws, general or special, in

59 of Article 16, of the Constitution of Texas authorizing subordinate districts and for the creation and government thereof; defining the powers and duties of said districts; providing for directors and organization and operation of the districts and the authority and duties of said directors; defining the area of the parent and subordinate districts; providing certain duties for the State Board of Water Engineers, State Reclamation Engineer and the Governor of the State; etc., and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

Committee Room. Austin, Texas, November 8, 1935.

House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 103, A bill to be entitled "An Act validating the acts of cities, towns and villages in attempting to adopt the provisions of cities and towns under authority of Article 961, Revised Civil Statutes of 1925, and validating acts thereafter taken by such cities, towns and villages, with provision that this Act shall not apply in instances wherein the validity of the adoption of such powers is in litigation at the time this Act becomes effective, repealing all laws in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

Committee Room, Austin, Texas, November 8, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 99, A bill to be entitled "An Act increasing the amount that may be allowed by county boards of trustees to the county superintendents of public instruction for expenditures for office and traveling expenses in counties with a population of not less than sixty thousand (60,000), nor more than sixty-one thousand (61,-000), according to the last preceding

conflict therewith, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

Committee Room, Austin, Texas, November 8, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. C. R. No. 19, Granting Mrs. Julia Martin and others permission to sue the State.

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

Committee Room, Austin, Texas, November 8, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Bills to whom was referred

H. B. No. 88, A bill to be entitled "An Act to amend Article 2968 of the 1925 Civil Statutes of Texas, as amended by the First Called Session of the Forty-first Legislature, provid- attorneys when engaged in the actual ing that the exemption certificates for the poll tax shall be secured before ating money to pay salaries and exthe first day of February, and declar- penses authorized and incurred in ing an emergency."

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

Committee Room, Austin, Texas, November 8, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 97, A bill to be entitled "An Act giving L. B. Hammett and wife, Mrs. L. B. Hammett, consent of the Legislature to sue the State of Texas and State Highway Commission for damages resulting from the construction of State Highway No. 6, in and through Grayson County, Texas, fixing the venue of said suit, providing that limitation shall not be pleaded, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

Committee Room, Austin, Texas, November 8, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 94, A bill to be entitled "An Act providing for the compensation of criminal districts attorneys or county attorneys who perform the duties of district attorneys in those counties in which the commissioners courts elect to compensate such officers on a salary basis; fixing the compensation of criminal district attorneys or county attorneys who perform the duties of a district attorney and whose district is composed of one county only; providing the method of payment; providing for the disposition of fees, commissions and perquisites earned and collected by such criminal district attorney or county attorney; providing that this Act shall be cumulative of prior acts, ex-Sir: Your Committee on Engrossed cept where in direct conflict, especially with reference to assistants, and special investigators; providing for the payment of expenses of criminal district attorneys and county attorneys performing the duties of district discharge of their duties; reapproprithis Act; providing for the validity of the remainder of this Act in the event any portion hereof is declared to be unconstitutional; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room, Austin, Texas, November 11, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 26, "An Act creating a system of old age assistance in Texas; placing restrictions on the granting of such assistance; fixing the date on which payments of assistance shall begin; creating the Texas Old Age Assistance Commission; prescribing their terms of office, qualifications and duties; fixing their salaries; pro-

viding for the appointment of an Executive Director to the Old Age Assistance Commission and a Chief Auditor; prescribing qualifications, duties and salaries of such Executive Director and Chief Auditor; providing for the establishment of local administrative agencies in the various counties and districts of Texas, and for the selection and appointment of necessary personnel; providing for the filing of an application for assistance by applicants therefor; providing for certain information to be given in such application; providing for investigation of applications for assistance, orders thereon, appeals and hearings therein; providing the amount of assistance to be paid to applicants and the method of paying same; providing for discontinuance of grants of assistance; fixing penalties for violation of the provisions of this Act; creating an Old Age Assistance Fund and a Permanent Old Age Pension Fund in the State Treasury; appropriating certain moneys from the General Revenue Fund; appropriating from the Old Age Assistance Fund the sum of Twenty-five Million (\$25,-000,000.00) Dollars, or so much thereof as may be necessary for the payment of assistance grants and expenses in connection with the administration of this Act; providing for reimbursement of the General Revenue Fund; providing for investment of the Permanent Old Age Pension Fund; providing for withdrawals from such Fund; providing for gifts and assignments of money, insurance benefits or other property for the benefit of the Old Age Assistance Fund; providing that grants of Old Age Assistance shall be inalienable and not subject to civil process; making provision for recovery, if on the death of a recipient, it is found he had property in excess of the amount allowed by this Act; providing for cooperation between the Texas Old Age Assistance Commission and the Federal Social Security Board; prescribing the administrative cost of this Act: repealing all laws in conflict; providing a saving clause, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

ROANE, Vice-Chairman.

TWELFTH DAY

(Tuesday, November 12, 1935)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker Hanna Hardin Adamson Aikin Harris of Archer Alexander Hartzog Alsup Head Ash Herzik Atchison Hill Hodges Beck Hofheinz Bergman Holland **Bourne** Bradbury **Lioskins** Huddleston Bradford **Broyles** Hunt Burton Hunter **Butler of Brazos** Jackson **Butler of Karnes** James Jefferson Cagle Jones of Atascosa Caldwell Calvert Jones of Falls Jones of Shelby Canon Jones of Wise Celava Keefe Clayton King Collins Knetsch Colquitt Colson Lanning Latham Cooper Cowley Leath Craddock Lemens Crossley Leonard Lindsey Daniel Lotief Davis Lucas Davison of Fisher Luker Davisson of Eastland Mauritz Dickison McCalla McConnell Dunagan McFarland Dunlap of Hays Dunlap of Kleberg McKee McKinney Duvall Moffett Dwyer Moore England Morris Fain Morrison Farmer Morse Fisher Newton Ford Olsen Fox **Padgett** Frazer Falmer Fuchs Patterson Gibson Payne Glass

Petsch

Pope

Quinn

Reader

Good

Gray

Greathouse

Hankamer